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U.S. DISTRICT COURT E.D.N.Y.

★ MAY 5 2006 ★

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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

BROOKLYN OFFICE

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UNITED STATES OF AMERICA, ex rel.  
Dr. Ludwig Koch,

~~UNDER SEAL~~

Plaintiff,

ORDER

v.

Civil Action No.  
05-CV-854  
(Block, J.)

UBS AG; a/k/a UNION BANK OF  
SWITZERLAND; a/k/a UBS (USA) INC, legal  
successor to Interhandel.  
a/k/a INTERNATIONALE GESELLSCHAFT FUR  
CHEMISCHE UNTERNEHMUNGEN a/k/a I.G. CHEMIE;  
a/k/a INTERNATIONALE INDUSTRIE UND  
HANDELSBETEILIGUNGEN AG a/k/a SOCIETE  
INTERNATIONALE POUR PARTICIPATIONS  
INDUSTRIELLES ET COMMERCIALES S.A. a/k/a  
INTERHANDEL; and CREDIT SUISSE, legal  
successor to Schweizerische Kreditanstalt,

Defendants.

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The United States having declined to intervene in this  
action pursuant to the False Claims Act, 31 U.S.C. §  
3730(b)(4)(B), the Court rules as follows:

IT IS ORDERED that,

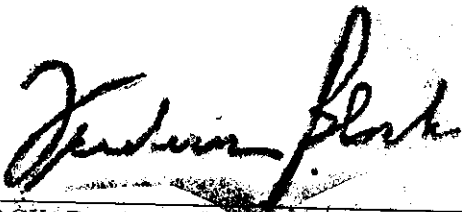
1. the complaint be unsealed and served upon the  
Defendants by the relator;
2. all other contents of the Court's file in this  
action remain under seal and not be made public or served upon  
Defendant, except for this Order and the United States' Notice of  
Election to Decline Intervention, which the relator will serve  
upon Defendant only after service of the complaint;

3. the seal be lifted as to all other matters occurring in this action after the date of this Order;

4. the parties shall serve all pleadings and motions filed in this action, including supporting memoranda, upon the United States, as provided for in 31 U.S.C. § 3730(c)(3). The United States may order any deposition transcripts and is entitled to intervene in this action, for good cause, at any time;

5. all orders of this Court shall be sent to the United States; and that

6. should the relator or Defendant propose that this action be dismissed, settled, or any otherwise discontinued, the Court will solicit the written consent of the United States before ruling or granting its approval.



~~JACK D. WEINSTEIN~~ J. Block 4/5/06  
United States District Judge

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